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9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,)
12) No. CR 06-0530 SBA
13 Plaintiff,)
14 v.) STIPULATION AND
15) ORDER VACATING TRIAL DATE
16 LEONARD LIM,) AND SETTING MATTER FOR
17) CHANGE OF PLEA DATE AND
18) SENTENCING; EXCLUSION OF
19) TIME
20 Defendant.)

21 IT IS HEREBY STIPULATED, by and between the parties to this action, that the September
22 29, 2008 trial date, and the September 23, 2008 pre-trial date are hereby vacated. It is further
23 stipulated that the case should be calendared for Tuesday, September 23, 2008, at 10:00 a.m. for
24 change of plea and sentencing and that the matter be referred to the United States Probation Office to
25 prepare a pre-plea report for that date.

26 The parties have reached a plea agreement to be entered into under Fed. R. Crim. P.
11(c)(1)(C). The Court previously excluded time through the September 23, 2008, in accordance
with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for adequate

1 preparation of counsel as the parties prepared for trial. Once the Court vacates the pretrial and trial
 2 date, it could continue to exclude time in accordance with the provisions of the Speedy Trial Act, 18
 3 U.S.C. §§ 3161(h)(1)(I) as it considers the proposed plea agreement to be entered into by the
 4 defendant and attorney for the government. The agreement is attached as Exhibit A.
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6 /S/
 7 DATED: 6/19/08
 8 _____
 9 JOYCE LEAVITT
 10 Assistant Federal Public Defender

11 /S/
 12 DATED: 6/19/08
 13 _____
 14 WADE RHYNE
 15 Assistant United States Attorney

16 I hereby attest that I have on file all holographed signatures for any signatures indicated by a
 17 conformed signature “/s/” within this e-filed document.
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19 ORDER

20 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the September 29, 2008 trial
 21 date, and the September 23, 2008 pretrial date are hereby vacated and the matter is reset to October
 22 7, 2008 at 10:00 a.m. for change of plea and sentencing.

23 IT IS FURTHER ORDERED that the matter is hereby referred to the United States Probation
 24 Office to prepare a pre-plea report for the October 7, 2008 change of plea and sentencing date.

25 IT IS FURTHER ORDERED that the time is hereby excluded in accordance with the
 26 provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(1)(I) as the Court considers the proposed
 plea agreement to be entered into by the defendant and attorney for the government.

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2 SO ORDERED.
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5 DATED: 7/1/08
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HONORABLE SAUNDRA BROWN ARMSTRONG
United States District Judge